

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

SHARON ZIMMERMAN,

Plaintiff,

v.

LOUIS M HAGARTY,

Defendant.

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Hon. Joseph H. Rodriguez

Civil Action No. 1: 19-cv-19112

MEMORANDUM ORDER

This matter comes before the Court by way of Defendant's Notice of Removal [Dkt. No. 1]. The Court has reviewed the notice of removal and has found it deficient.

The Court finds:

1. On or about September 19, 2019, Plaintiff instituted this action in the Court of Common Pleas of Montgomery County, Pennsylvania. [Dkt. No. 1].
2. On October 18, 2019, Defendant, Louis Hagarty ("Defendant"), removed the case to this Court pursuant to 28 U.S.C. § 1332 and § 1441. [Dkt. No. 1].
3. When a civil action is removed, venue is determined pursuant to 28 U.S.C. § 1441.
4. Under 28 U.S.C. § 1441(a), "[e]xcept as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending."
5. This Court, the District Court for the District of New Jersey, does not embrace the court in Pennsylvania where this action is pending.

6. Thus, the notice of removal fails to properly plead a proper basis for venue pursuant to 28 U.S.C. § 1441(a) and therefore, this Court does not have jurisdiction over this matter.

For good cause shown,

IT IS ORDERED this 24th day of October 2019 that this case is hereby
DISMISSED WITHOUT PREJUDICE.

/s/ Joseph H. Rodriguez
JOSEPH H. RODRIGUEZ
U.S.D.J.